

1 **EXHIBIT I**

2 **UNITED STATES DISTRICT COURT**
3 **DISTRICT OF NEVADA**

4 **Drew J. Ribar,**

5 Plaintiff,

6 v.

7 **State of Nevada ex rel. Nevada Department of Corrections, Carson City, et al.,**
Defendants.

8 **Case No. 3:24-cv-00103-ART-CLB**

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10 **EXHIBIT I – Criminal Complaint (Bates Nos. EX022–EX024)**

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12 **Filed in Support of Amended Complaint and Summary Judgment Motion (Fed. R. Civ. P.**
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14 **56)**

15 Plaintiff Drew J. Ribar, pro se, submits Exhibit I, the Criminal Complaint filed by the Carson
16 City District Attorney's Office on August 31, 2022, in Carson City Justice Court (Case No. 22
17 CR 01231 1C), obtained via discovery in the dismissed criminal case. Filed manually per LR IC
18 2-2 with a Notice of Manual Filing, this exhibit stands alone as evidence of Defendants'
19 prosecutorial actions following Plaintiff's arrest on August 30, 2022, while cross-referencing
20 Exhibits C, D, E, F, and H to support Plaintiff's claims and Rule 56 motion.
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25 **Key Evidence and Legal Violations**

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28 PLEADING TITLE - 1

Section	Incident	Legal Relevance	Cross-Reference
Count I: Trespass (Bates EX022– EX024)	Alleges Plaintiff remained on NDOC property, filming security measures , after orders to leave (NRS 207.200).	Violates First Amendment recording rights (<i>Fordyce v. Seattle</i> , 55 F.3d 436 (9th Cir. 1995); <i>Nieves v. Bartlett</i> , 139 S. Ct. 1715 (2019)); Fourth Amendment malicious prosecution (<i>Thompson v. Clark</i> , 142 S. Ct. 1332 (2022)); NRS 207.200 requires notice, absent in video evidence; supports retaliation pretext (<i>Board of County Comm’rs v. Umbehr</i> , 518 U.S. 668 (1996)).	Exhibit C, 01:01:40.583 (public road), 01:05:13.333 (no signs); Exhibit F, EX001–EX002
Count II: Resist Public Officer	Alleges Plaintiff obstructed NDOC officials by refusing to stop filming , causing lockdown (NRS 199.280, shifted (2004)); NRS 199.280 requires lawful from NRS 197.190 in order, unproven; prosecutorial shift Exhibit F).	Supports First Amendment retaliation (<i>Glik v. Cunniffe</i> , 655 F.3d 78 (1st Cir. 2011); <i>Irizarry v. Yehia</i> , 38 F.4th 1282 (10th Cir. 2022)); Fourth Amendment lack of probable cause (no obstruction); (<i>Devenpeck v. Alford</i> , 543 U.S. 146 (2004)); NRS 199.280 requires lawful from NRS 197.190 in order, unproven; prosecutorial shift (<i>Thompson</i>).	Exhibit D, 0:20:56 Exhibit F, EX001–EX002

Section	Incident	Legal Relevance	Cross-Reference
		Supports Fourth Amendment malicious prosecution via	
Complaint	Omits NRS 203.010 from Exhibit F, filed	inconsistent charges (<i>Thompson</i>); Fourteenth Amendment due process	Exhibit H, EX016–EX017 (two
Filing (Bates EX022–EX024)	(Bates within 24 hours by DA Tyson Darin League, ratifying arrest claims.	violation (<i>Mathews v. Eldridge</i> , 424 U.S. 319 (1976); <i>Parratt v. Taylor</i> , 451 U.S. 527 (1981)); rapid filing and ratification suggest retaliatory policy	charges); Exhibit E, 0:01:04–0:01:20 (retaliation threats)
Post-Arrest Context	Late Miranda warning ignored in prosecution filing.	Fifth Amendment violation (<i>Miranda v. Arizona</i> , 384 U.S. 436 (1966)), unaddressed by DA, supporting due process claim (<i>Mathews</i>).	Exhibit D, 0:20:56; Exhibit F, EX017

Legal Claims Supported

- **First Amendment (42 U.S.C. § 1983):** Prosecution for lawful recording (*Fordyce*, *Glik*, *Irizarry*, *Nieves*, *Umbehr*; NRS 171.1233), contradicted by Exhibits C and D.
- **Fourth Amendment (42 U.S.C. § 1983):** Malicious prosecution via inconsistent charges and weak probable cause (*Thompson*, *Devenpeck*), tied to Exhibit F (EX001–EX002) and tow (EX014–EX015, *Soldal v. Cook County*, 506 U.S. 56 (1992)).

- 1 • **Fifth Amendment (42 U.S.C. § 1983):** Late Miranda warning (*Miranda*), unaddressed in
2 prosecution, per Exhibit D (0:20:56).
- 3 • **Fourteenth Amendment (42 U.S.C. § 1983):** Procedural due process flaws in charging
4 and prosecution (*Mathews, Parratt*); substantive economic harm to Plaintiff's towing
5 business linked to Exhibit E (*Meyer v. Nebraska*, 262 U.S. 390 (1923); *County of*
6 *Sacramento v. Lewis*, 523 U.S. 833 (1998)).
- 7 • **Municipal Liability (42 U.S.C. § 1983):** CCSO/DA custom of retaliation via arrest, tow,
8 and prosecutorial ratification ("we want it gone," Exhibit C, 01:01:33.500; "my bosses,"
9 Exhibit E, 0:01:20; *Monell*).
- 10 • **State Law Claims:** False imprisonment (NRS 200.460), oppression under color of law
11 (NRS 197.200), intentional interference with prospective economic advantage (28 U.S.C.
12 § 1367).

18 **Summary Judgment Purpose (Fed. R. Civ. P. 56)**

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20 Exhibit I's charges (Bates EX019–EX021) criminalize **filming**, contradicted by video evidence
21 (Exhibits C, D) showing no pre-arrest warning or lawful basis, and reinforced by retaliatory
22 threats (Exhibit E). The **inconsistent charges** (NRS 203.010 omitted vs. Exhibit F; NRS 197.190
23 shifted to NRS 199.280) and rapid DA ratification suggest pretext, violating clearly established
24 law. These undisputed facts leave **no genuine dispute of material fact**—no reasonable jury
25 could find this prosecution justified—entitling Plaintiff to judgment as a matter of law.

1 **Qualified Immunity Defeat**

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3 Defendants' actions contravene clearly established rights under *Pearson v. Callahan*, 555 U.S.
4 223 (2009):
5

- 6 • **Violation:** Recording retaliation (*Fordyce, Glik, Irizarry, Nieves, Umbehr*), malicious
7 prosecution (*Thompson*), due process (*Mathews, Parratt*), late Miranda (*Miranda*).
8
9 • **Clearly Established:** Rights defined pre-2022 (*Fordyce* 1995, *Thompson* 2022).

10 Prosecution shows **objective unreasonableness** (*Kingsley v. Hendrickson*, 576 U.S. 389 (2015)),
11 not mere negligence. "Security risk" defenses fail against *Soldal*'s warrant requirement,
12 *Mathews*'s notice mandate, and *Nieves*'s retaliation bar (*Harlow v. Fitzgerald*, 457 U.S. 800
13 (1982)).
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17 **Authentication**
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19 Per Fed. R. Evid. 901, I, Drew J. Ribar, declare under penalty of perjury this Criminal Complaint
20 (Bates EX019–EX021) was obtained via discovery in Case No. 22 CR 01231 1C and accurately
21 reflects Defendants' prosecutorial actions on August 31, 2022.
22

23 Dated: March 27, 2025
24

25 **/s/ Drew J. Ribar**

26 Drew J. Ribar

27 3480 Pershing Ln, Washoe Valley, NV 89704
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PLEADING TITLE - 5

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JUSTICE OF THE PEACE

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2022 SEP -1 AM 11:18
TY
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4 TYSON DARIN LEAGUE
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IN THE CARSON CITY JUSTICE COURT

IN AND FOR CARSON CITY, STATE OF NEVADA

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Carson City, Nevada
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Tel. (775) 887-2072 Fax (775) 887-2129

12 STATE OF NEVADA,

13 Plaintiff,

Case No. 22 CR 01231 1C

14 v.

Dept. No. I

15 DREW J RIBAR,

16 Defendant.

17 CRIMINAL COMPLAINT

18 Tyson Darin League, Supervising Deputy District Attorney for Carson City,
19 Nevada, complains and declares, upon information, belief and/or personal knowledge,
20 that DREW J RIBAR, the Defendant, above-named, at Carson Township, in Carson
21 City, State of Nevada, has committed the crime(s) of: TRESPASS, NOT AMOUNTING
22 TO BURGLARY, a violation of NRS 207.200, a Misdemeanor and RESIST PUBLIC
23 OFFICER, a violation of NRS 199.280(3), a Misdemeanor, in the manner following:
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25 ///

Count I

**TRESPASS, NOT AMOUNTING TO BURGLARY
(MISDEMEANOR - NRS 207.200)**

That the Defendant, Drew J Ribar, on or about August 30, 2022, at Carson Township, in Carson City, State of Nevada, did willfully remain on property after being told to leave by the lawful owner or occupant of such property or their designated representative, to wit: the Defendant refused to leave Nevada State Department of Corrections grounds after being told to leave by a Sergeant, a Lieutenant and the Warden himself, instead remaining on the property and filming security measures, all of which occurred at or near Northern Nevada Correctional Center, in Carson City, State of Nevada.

Count II

RESIST PUBLIC OFFICER

(MISDEMEANOR - NRS 199.280(3))

15 That the Defendant, Drew J Ribar, on or about August 30, 2022, at Carson
16 Township, in Carson City, State of Nevada, did willfully and unlawfully resist, delay, or
17 obstruct a public officer in discharging or attempting to discharge any legal duty of his
18 or her office, to-wit: the Defendant refused to discontinue filming security measures at
19 the Northern Nevada Correctional Center, and/or refused to leave the premises which
20 resulted in a full facility lockdown hindering or obstructing the Corrections officials
21 duties to maintain the security of the facility and/or their duty to secure inmates in the
22 facility, all of which occurred at or near 1721 Snyder Avenue, Carson City, State of
23 Nevada.

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EX-1027

1 All of which is contrary to the form of the Statutes in such cases made and
2 provided and against the peace and dignity of the State of Nevada. Said Complainant
3 declares under penalty of perjury under the law of the State of Nevada that the
4 foregoing is true and correct and prays that the Defendant may be dealt with according
5 to law.

6 DATED this 31st day of August, 2022.

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8 TYSON DARIN LEAGUE
9 Supervising Deputy District Attorney
Nevada Bar No. 13366

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